

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/11/2024

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIVEVIDEO.AI CORP,

Plaintiff,

-against-

SHARI REDSTONE, et al.,

Defendants.

24-CV-6290 (DEH) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

On December 9, 2024, plaintiff requested, and the Clerk's Office entered, a Certificate of Default against defendant National Amusements, Inc. (NAI). (*See* Dkts. 61-63.) By letter-motion dated December 11, 2024, NAI asserts that it "has never been properly served in this action" and "requests that the Court set aside the default under Federal Rule of Civil Procedure 55(c)[.]" 12/11/24 Ltr. (Dkt. 65) at 2. NAI reports that plaintiff attempted to serve the proposed Second Amended Complaint, *id.* at 1, which the Court previously denied leave to file. (Dkt. 47.)

Plaintiff's opposition letter is due no later than **December 16, 2024**. *See* Moses Ind. Prac. § 2(e). If plaintiff contends that the Certificate of Default should not be set aside pursuant to Fed. R. Civ. P. 55(c), it must submit admissible evidence (*e.g.*, an affirmation or declaration) identifying exactly what was served on NAI and in what manner.

Dated: New York, New York
December 11, 2024

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge